

1948-49.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

No. 102.

WEDNESDAY, 29TH JUNE, 1949.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—The Deputy Speaker (Mr. Clark) took the Chair, and read Prayers.
2. ALTERATION OF HOUR OF NEXT MEETING.—Mr. Chifley (Prime Minister) moved, That the House, at its rising, adjourn until to-morrow at half-past ten o'clock a.m.
Question—put and passed.
3. PAPER.—The following Paper was presented, by command of His Excellency the Governor-General—
Tariff Board—Report—Flints for Lighters.
Ordered to lie on the Table.
4. ADJOURNMENT-MOTION FOR PURPOSE OF DISCUSSION.—Mr. Abbott rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "The disastrous position of the people suffering from flood damage in New South Wales, the inadequacy of the relief afforded by the Government, and the urgency of immediate action by the Commonwealth Government under the defence powers to prevent flooding in the future".
Mr. Deputy Speaker thereupon called upon those Members who approved of the proposed discussion to rise in their places, and more than the necessary number of Members having risen accordingly—
Mr. Abbott moved, That the House do now adjourn.
Mr. Bowden moved, That Mr. Abbott be granted an extension of time.
Question—put.
The House divided (The Deputy Speaker, Mr. Clark, in the Chair)—

Ayes, 22.

Mr. Abbott	Mr. Lang
Mr. Adermann	Dame Enid Lyons
Mr. Anthony	Mr. McBride
Mr. Bowden	Mr. Menzies
Mr. Cameron	Sir Earle Page
Mr. Falkinder	Mr. Rankin
Mr. Francis	Mr. Ryan
Mr. Hamilton	Mr. Turnbull
Mr. Harrison	
Mr. Holt	<i>Tellers:</i>
Mr. Howse	Mr. Corser
Mr. Hughes	Mr. McDonald

Noes, 33.

Mr. Barnard	Mr. Holloway
Mr. Beazley	Mr. Johnson
Mrs. Blackburn	Mr. Lazzarini
Mr. Brennan	Mr. Lemmon
Mr. Burke	Mr. McLeod
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Chifley	Mr. Riordan
Mr. Conelan	Mr. Russell
Mr. Daly	Mr. Thompson
Mr. Dedman	Mr. Ward
Mr. Drakeford	Mr. Watkins
Mr. Edmonds	Mr. Williams
Mr. Evatt	
Mr. Falstein	
Mr. Fraser	<i>Tellers:</i>
Mr. Hadley	Mr. Fuller
Mr. Haylen	Mr. Sheehan

And so it was negatived.
Debate ensued.

Closure.—Mr. Scully (Vice-President of the Executive Council) moved, That the question be now put.
Question—That the question be now put—put.

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The House divided (The Deputy Speaker, Mr. Clark, in the Chair)—

Ayes, 35.

Mr. Barnard	Mr. Holloway
Mr. Beazley	Mr. Johnson
Mrs. Blackburn	Mr. Lazzarini
Mr. Brennan	Mr. Lemmon
Mr. Burke	Mr. McLeod
Mr. Calwell	Mr. O'Connor
Mr. Chambers	Mr. Pollard
Mr. Chifley	Mr. Riordan
Mr. Conelan	Mr. Russell
Mr. Daly	Mr. Scully
Mr. Dedman	Mr. Thompson
Mr. Drakeford	Mr. Ward
Mr. Duthie	Mr. Watkins
Mr. Edmonds	Mr. Williams
Mr. Evatt	
Mr. Falstein	
Mr. Fraser	
Mr. Hadley	
Mr. Haylen	

Tellers:

Mr. Fuller
Mr. Sheehan

Noes, 21.

Mr. Abbott	Dame Enid Lyons
Mr. Adermann	Mr. McBride
Mr. Anthony	Mr. Menzies
Mr. Bowden	Sir Earle Page
Mr. Cameron	Mr. Rankin
Mr. Falkinder	Mr. Ryan
Mr. Francis	Mr. Turnbull
Mr. Hamilton	
Mr. Harrison	
Mr. Holt	
Mr. Howse	
Mr. Hughes	

Tellers:

Mr. Corser
Mr. McDonald

And so it was resolved in the affirmative.

And the question—That the House do now adjourn—was put accordingly, and negatived.

5. NATIONAL EMERGENCY (COAL STRIKE) BILL 1949.—Mr. Evatt (Attorney-General) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to prohibit, during the period of National Emergency caused by the present General Strike in the Coal-mining Industry, the Contribution, Receipt or Use of Funds by Organizations registered under the *Commonwealth Conciliation and Arbitration Act 1904-1948* for the purpose of assisting or encouraging the Continuance of that Strike, and for other purposes.

Question—put and passed.

Mr. Evatt then brought up the Bill accordingly, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Declaration of Bill as Urgent Bill.—Mr. Chifley (Prime Minister) declared that the Bill was an Urgent Bill.

Question—That the Bill be considered an Urgent Bill—put and passed.

Allotment of Time.—Mr. Chifley then moved, That the time allotted in connexion with the Bill be as follows:—

- For the second reading, until 6 p.m. this day.
- For the Committee stage, until 8.45 p.m. this day.
- For the remaining stages, until 9 p.m. this day.

Debate ensued.

Question—put and passed.

Mr. Evatt moved, That the Bill be now read a second time.

Debate ensued.

Limitation of Debate—Extension of Time.—Mr. Chifley moved, That the time allotted for the second reading be extended until 8.45 p.m., and for the Committee stage, until 8.55 p.m.

Question—put and passed.

Debate continued.

Limitation of Debate.—At fifteen minutes to nine o'clock p.m., Mr. Deputy Speaker having called the attention of the House to the fact that the time allotted for the second reading had expired—

Question—That the Bill be now read a second time—put and passed.—Bill read a second time.

Mr. Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Bill, by leave, taken as a whole.

Debate ensued.

Limitation of Debate.—At five minutes to nine o'clock p.m., the Temporary Chairman (Mr. Sheehy) having called the attention of the Committee to the fact that the time allotted for the Committee stage had expired—

Question—That the Bill be agreed to and that the Bill be reported without amendment—put and passed.

The House resumed; Mr. Sheehy reported accordingly.

On the motion of Mr. Evatt, the House adopted the Report, and the Bill was read a third time.

6. MESSAGE FROM THE SENATE.—WAR PENSIONS APPROPRIATION BILL 1949.—Mr. Deputy Speaker announced the receipt of the following Message from the Senate:—

MR. DEPUTY SPEAKER,

Message No. 82.

The Senate returns to the House of Representatives the Bill for “*An Act to grant and apply out of the Consolidated Revenue Fund a sum for War Pensions*”, and acquaints the House that the Senate has agreed to the Bill without amendment.

GORDON BROWN,
President.

The Senate,
Canberra, 29th June, 1949.

29th June, 1949.

7. PAPERS.—The following Papers were presented, pursuant to Statute—
 Arbitration (Public Service) Act—Determinations by the Arbitrator, &c.—1949—
 No. 42—Peace Officer Guard Association.
 Nos. 43 and 44—Amalgamated Engineering Union and others.
 No. 45—Federated Public Service Assistants' Association of Australia.
 No. 47—Transport Workers' Union of Australia.
 Commonwealth Public Service Act—Appointments—Department—
 Army—J. B. S. Waugh.
 Defence—M. B. Lynch.
 Defence (Transitional Provisions) Act—Regulations—Statutory Rules 1949, Nos. 35, 37.
 Lands Acquisition Act—Land acquired for Postal purposes—
 Balwyn North, Victoria.
 Burleigh Heads, Queensland.
 North Albury, New South Wales.
 Scottsdale, Tasmania.
 Patents Act—Regulations—Statutory Rules 1949, No. 36.
8. POST AND TELEGRAPH RATES BILL 1949.—The Order of the Day having been read for the resumption of the debate on the question, That the Bill be now read a second time—
 Debate resumed.
 Ordered—That Mr. Fadden be granted an extension of time.
 Mr. Fadden moved, as an amendment, That all words after "That" be omitted with a view to inserting the following words in place thereof:—"the Bill be referred to a Select Committee of this House appointed to inquire into and report upon the deterioration in the finances of the Postmaster-General's Department which has resulted in the imposition of these heavy increases in charges at a time when revenue from other sources is at a record high level".
 Mr. Daly moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and passed.
 Ordered—That the resumption of the debate be made an Order of the Day for a later hour this day.

9. MESSAGE FROM THE SENATE.—NATIONAL EMERGENCY (COAL STRIKE) BILL 1949.—Mr. Deputy Speaker announced the receipt of the following Message from the Senate:—

MR. DEPUTY SPEAKER,

Message No. 84.

The Senate returns to the House of Representatives the Bill for "An Act to prohibit, during the period of National Emergency caused by the present General Strike in the Coal-mining Industry, the Contribution, Receipt or Use of Funds by Organizations registered under the 'Commonwealth Conciliation and Arbitration Act 1904-1948' for the purpose of assisting or encouraging the Continuance of that Strike, and for other purposes", and acquaints the House that the Senate has agreed to the Bill with the Amendments indicated by the annexed Schedule, in which Amendments the Senate requests the concurrence of the House of Representatives.

GORDON BROWN,
 President.

The Senate,
 Canberra, 29th June, 1949.

Ordered—That the foregoing Message be taken into consideration, in Committee of the whole House, forthwith.
 Mr. Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

The Committee proceeded to consider the Amendments, which are as follows:—

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

- No. 1.—Page 2, clause 3, lines 43-45, leave out sub-clause (2.) insert the following sub-clause:—
 "(2.) For the purposes of this Act, a payment or receipt, or a promise to make a payment, by a branch of an organization shall be deemed to be a payment or receipt, or a promise to make a payment, by that organization."
- No. 2.—Page 3, clause 5, line 15, leave out "or accept a benefit," insert "or benefit".
- No. 3.—Pages 3 and 4, clause 8, leave out sub-clause (1.) insert the following sub-clause:—
 "(1.) Where the Court is satisfied, upon the application of the Registrar—
 (a) that, at any time on or after the sixteenth day of June, One thousand nine hundred and forty-nine, and before the commencement of this Act, money has been received or paid, and the receipt or payment of that money would, if this Act had been in force at the time when the money was received or paid, have been in contravention of section five or six of this Act; or
 (b) that, at any time after the commencement of this Act, money has been received or paid in contravention of either of those sections,
 the Court may order the repayment of that money by the person to whom, or the organization to which, the money was paid to the person from whom, or the organization from which, it was received."

On the motion of Mr. Evatt (Attorney-General), the Amendments were agreed to.
 Resolution to be reported.

The House resumed; Mr. Ryan reported accordingly.
 On the motion of Mr. Evatt, the House adopted the Report.

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10. MESSAGE FROM THE SENATE.—COMMONWEALTH CONCILIATION AND ARBITRATION BILL 1949.—
Mr. Deputy Speaker announced the receipt of the following Message from the Senate:—

MR. DEPUTY SPEAKER,

Message No. 83.

The Senate has passed a Bill for " *An Act to make provision for the Prevention of Irregularities in connexion with Elections for Offices in Organizations registered under the ' Commonwealth Conciliation and Arbitration Act 1904-1948 ' , to vest in the Commonwealth Court of Conciliation and Arbitration additional powers for the Prevention of such Irregularities, and for those purposes to amend that Act* ", and transmits the same to the House of Representatives for its concurrence.

GORDON BROWN,
President.

The Senate,
Canberra, 29th June, 1949.

Mr. Evatt (Attorney-General) moved, That the Bill transmitted by the foregoing Message be now read a first time.

Question—put and passed.—Bill read a first time.

Ordered—That the second reading be made an Order of the Day for the next sitting.

11. POST AND TELEGRAPH RATES BILL 1949.—The Order of the Day having been read for the resumption of the debate on the question, That the Bill be now read a second time—*And on the Amendment moved thereto by Mr. Fadden, viz. :—That all words after " That " be omitted with a view to inserting the following words in place thereof :—" the Bill be referred to a Select Committee of this House appointed to inquire into and report upon the deterioration in the finances of the Postmaster-General's Department which has resulted in the imposition of these heavy increases in charges at a time when revenue from other sources is at a record high level "*—

Debate resumed.

Mr. Calwell (Minister representing the Postmaster-General) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and passed.

Ordered—That the resumption of the debate be made an Order of the Day for the next sitting.

12. ADJOURNMENT.—Mr. Holloway (Minister for Labour and National Service) moved, That the House do now adjourn.

Question—put and passed.

And then the House, at seventeen minutes to twelve o'clock midnight, adjourned until to-morrow at half-past ten o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Davidson, Mr. Gaha, Mr. Hutchinson, Mr. James, Mr. Langtry, Mr. Lawson, Mr. McEwen, Mr. Mulcahy, Mr. Rosevear, Mr. Scullin, Mr. Spender and Mr. White.

F. C. GREEN,
Clerk of the House of Representatives.